

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
 )  
 v. ) Mag. No. 1:11-mj-13  
 )  
 JACOLBY DUNBAR )

MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing was held in this action on February 2, 2011. Those present at the hearing included:

- (1) AUSA Terra Bay for the United States of America.
- (2) The defendant, JACOLBY DUNBAR.
- (3) Atty. Mary Ellen Coleman for defendant.
- (4) Deputy Clerk Barbara Lewis.

Upon being sworn, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution. Atty. Mary Ellen Coleman of Federal Defender Services of Eastern Tennessee, Inc. was present as appointed counsel for defendant.

The defendant acknowledged he had received a copy of the Criminal Complaint. It was determined he was capable of being able to read and understand the proceedings.

AUSA Bay moved the court for an order detaining the defendant. The defendant waived his detention hearing, reserving the right to ask for a detention hearing at a later date.

Preliminary Hearing - Proof

AUSA Bay called Bradley County Sheriff's Department Detective Chad Owenby as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

Findings

Having heard and considered the testimony of the Detective Owenby during the preliminary hearing and the sworn Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there has been a violation of 18 U.S.C. § 922(g)(1), possession of a firearm by a

person who has previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, committed in the Eastern District of Tennessee.

(2) There is probable cause to believe the defendant committed the aforesaid offense.

Conclusions

It is therefore ORDERED:

- (1) The defendant is DETAINED without bail.
- (2) The defendant is held to answer the charges against him in the District Court.
- (3) The defendant's arraignment will be held on **Wednesday, February 9, 2011, at 1:45 pm.**

ENTER.

*s/William B. Mitchell Carter*  
UNITED STATES MAGISTRATE JUDGE